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3 UNITED STATES DISTRICT COURT
4 EASTERN DISTRICT OF WASHINGTON
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6 NORTH CASCADES NATIONAL
7 BANK, a national banking association,
8 Plaintiff,

No. CV-12-102-JLQ

ORDER CONSOLIDATING CASES

9
10 vs.

11 BANK OF CAMDEN, a Tennessee State
12 trust company,
13 Defendant.

14 **THIS ORDER RELATES TO: Cause No. CV-12-098-RHW**

15 The court's attention has been called to another matter filed in this district one day
16 prior to this case, *Bank of Camden v. North Cascades National Bank*, No. CV-12-98-
17 RHW. These actions involve virtually identical factual and legal issues, as well as the
18 same parties. The core issue in both cases is whether a right of first refusal regarding a
19 participation interest in a loan was effectively exercised.

20 A district court has broad discretion to consolidate actions involving "common
21 issues of law or fact." Fed.R.Civ.P. 42(a); *Investors Research Co. v. U.S. Dist. Ct. for*
22 *Cent. Dist. of Cal.*, 877 F.2d 777, 777 (9th Cir. 1989). In exercising its broad discretion
23 to order consolidation, a district court "weighs the saving of time and effort consolidation
24 would produce against any inconvenience, delay, or expense that it would cause." *Huene*
25 *v. U.S.*, 743 F.2d 703, 704 (9th Cir. 1984).

26 Given the similarities and the lack of any apparent inconvenience, delay or expense
27 that would result from bringing the cases together, the court finds that consolidation of

1 these cases is appropriate. In accordance with the standing practice in this District, when
2 cases are consolidated, the resultant consolidated case is the lowest numbered case.

3 **IT IS HEREBY ORDERED:**

4 1. The Clerk shall consolidate these actions such that the earlier filed action,
5 CV-12-98-RHW is the lead case. Case Number CV-12-102-JLQ shall be administratively
6 closed.

7 2. All future filings shall be filed in CV-12-98-RHW and shall bear the caption:
8 "In Re: Lake House Loan Litigation." The pending Motion to Dismiss for Lack of
9 Jurisdiction will be heard by Judge Whaley in the consolidated action.

10 3. The Clerk is further directed to enter this Order and furnish copies to counsel
11 and the Hon. Robert H. Whaley.

12 Dated this 27th day of March, 2012.

13 s/ Justin L. Quackenbush
14 JUSTIN L. QUACKENBUSH
15 SENIOR UNITED STATES DISTRICT JUDGE
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